

AMENDED IN ASSEMBLY MAY 24, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2637**

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**Introduced by Assembly Member Chesbro**

February 19, 2010

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~~An act to amend Sections 1100, 1101, 1105, 1110, 1112, 1114.5, 1125, 1126, 1127, 1128, 1132, 1133, 1140, 1141, 1150, 1170.3, 1177, 1190.1, 1192, and 1195 of, and to amend the heading of Division 5 (commencing with Section 1100) of, the Harbors and Navigation Code, relating to bay pilots, and making an appropriation therefor. An act to add and repeal Section 1171.6 of the Harbors and Navigation Code, relating to bay pilots.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2637, as amended, Chesbro. Bay pilots: Humboldt Bay.

(1)—Existing law establishes the Humboldt Bay Harbor, Recreation, and Conservation District within Humboldt County. Existing law provides for the regulation and licensing of pilots for Humboldt Bay by the Board of Commissioners of the Humboldt Bay Harbor, Recreation, and Conservation District.

Existing law provides for the regulation and licensing of pilots for Monterey Bay and the Bays of San Francisco, San Pablo, and Suisun by the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. *Existing law requires the board to establish training standards and a training program for pilot trainees.*

*This bill would authorize, until January 1, 2014, a pilot licensed by the Humboldt Bay Harbor, Recreation, and Conservation District to perform pilotage for Humboldt Bay to take any examination administered by the Board of Pilot Commissioners for the Bays of San*

*Francisco, San Pablo, and Suisun upon the adoption of a statement by the board that the pilot possesses pilotage and ship-handling experience similar to that which would allow him or her to take an examination required prior to admission into the pilot trainee training program for training on the Bays of San Francisco, San Pablo, and Suisun. The bill would also establish requirements for the pilot entering the pilot trainee training program.*

~~This bill would apply those provisions also to persons who pilot vessels into or out of any harbor or port of the bay of Humboldt Bay.~~

~~(2) Under existing law, any person who does not hold a license as a pilot or as an inland pilot and who pilots any vessel into or out of any harbor or port of Monterey Bay or the Bays of San Francisco, San Pablo, or Suisun, or who acts as a pilot for ship movements or special operations upon the waters of any of those bays, is guilty of a misdemeanor.~~

~~By expanding the scope of persons subject to that law to include pilots in Humboldt Bay, the bill would impose a state-mandated local program by creating a new crime.~~

~~(3) Existing law requires all moneys received by the Board of Pilot Commissioners pursuant to any statute to be deposited in the Board of Pilot Commissioners' Special Fund. The fund is continuously appropriated for the payment of the compensation and expenses of the board, its officers and employees, and the pilot training programs. Existing law specifies the rates for pilotage for vessels entering or leaving Monterey Bay and the Bays of San Francisco, San Pablo, and Suisun. Existing law also imposes various surcharges for, among other things, board operations, training programs, and pension benefits.~~

~~Because this bill would increase the amount of money deposited in a continuously appropriated fund, the bill would make an appropriation.~~

~~(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: *yes-no*. Fiscal committee: *yes*. State-mandated local program: *yes-no*.

*The people of the State of California do enact as follows:*

1     *SECTION. 1. Section 1171.6 is added to the Harbors and*  
2     *Navigation Code, to read:*

3     *1171.6. (a) A pilot licensed by the Humboldt Bay Harbor,*  
4     *Recreation, and Conservation District to perform pilotage for*  
5     *Humboldt Bay shall be eligible to take any examination*  
6     *administered by the board upon the adoption of a statement by the*  
7     *board that the pilot possesses pilotage and ship-handling*  
8     *experience similar to that which would allow him or her to take*  
9     *an examination required prior to admission into the pilot trainee*  
10    *training program for training on the Bays of San Francisco, San*  
11    *Pablo, and Suisun pursuant to subdivision (d) of Section 1171.5.*

12    *(b) A pilot admitted into the pilot trainee training program*  
13    *subsequent to satisfactorily completing an examination pursuant*  
14    *to subdivision (a) shall be granted all rights and privileges and*  
15    *be subject to all duties and responsibilities of a trainee pursuant*  
16    *to the program established by Section 1171.5, except as provided*  
17    *in subdivision (c).*

18    *(c) The board shall not issue a certificate of completion pursuant*  
19    *to subdivision (g) of Section 1171.5 to a pilot allowed to take an*  
20    *examination pursuant to subdivision (a) unless the pilot has done*  
21    *both of the following:*

22    *(1) Satisfactorily completed the pilot trainee training program.*

23    *(2) Obtained a resolution adopted by the Humboldt Bay Harbor,*  
24    *Recreation, and Conservation District that does one of the*  
25    *following:*

26    *(A) Accepts the surrender of the Humboldt Bay license held by*  
27    *the pilot, or accepts a surrender contingent upon the issuance by*  
28    *the board of a state license to the pilot.*

29    *(B) Acknowledges that the pilot has not surrendered his or her*  
30    *Humboldt Bay license, and that once he or she is licensed by the*  
31    *board, the Humboldt Bay Harbor, Recreation, and Conservation*  
32    *District shall not require the pilot to perform pilotage services or*  
33    *provide pilotage services within the pilotage grounds of the district,*  
34    *and the district shall not place any restriction on the ability of the*  
35    *pilot to perform duties under his or her state license as issued by*  
36    *the board.*

37    *(d) On or after January 1, 2014, the board shall not issue a*  
38    *certificate of completion pursuant to this section.*

1     (e) *This section shall remain in effect only until January 1, 2014,*  
2     *and as of that date is repealed, unless a later enacted statute, that*  
3     *is enacted before January 1, 2014, deletes or extends that date.*  
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6     **All matter omitted in this version of the bill**  
7     **appears in the bill as introduced in the**  
8     **Assembly, February 19, 2010. (JR11)**  
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